

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN CINDY YOUNKIN**, on February 17, 2003  
at 3:20 P.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Cindy Younkin, Chairman (R)  
Rep. Gail Gutsche, Vice Chairman (D)  
Rep. Jim Peterson, Vice Chairman (R)  
Rep. Debby Barrett (R)  
Rep. Larry Cyr (D)  
Rep. Sue Dickenson (D)  
Rep. Ron Erickson (D)  
Rep. George Everett (R)  
Rep. Kim Gillan (D)  
Rep. Christopher Harris (D)  
Rep. Carol Lambert (R)  
Rep. Michael Lange (R)  
Rep. Rick Maedje (R)  
Rep. Bruce Malcolm (R)  
Rep. Brad Newman (D)  
Rep. John (Jack) W. Ross (R)  
Rep. Scott Sales (R)  
Rep. Veronica Small-Eastman (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Larry Mitchell, Legislative Branch

**Video-taped Committee:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

**Committee Business Summary:**

Hearing & Date Posted: HB 537, 2/10/2003; HB 527,  
2/10/2003; HB 605, 2/13/2003  
Executive Action: HB 388, DO PASS AS AMENDED, 18-0  
HB 367, DO PASS AS AMENDED, 18-0  
HB 505, DO PASS AS AMENDED, 12  
HB 432, TABLED, 12-6  
HB 537, DO PASS AS AMENDED, 18-0

**HEARING ON HB 537**

**Opening Statement by Sponsor:**

0:00 REP. LAWSON, HD 80 -- **Short Title:** Require study to  
recalculate annual sustainable yield on forested state  
lands.

**EXHIBIT (nah35a01)**

**EXHIBIT (nah35a02)**

**Proponents' Testimony:**

13:00 Tom Schultz, Department of Natural Resources  
16:00 Bob Brown, Montana Secretary of State, State Land Board  
Member  
21:00 Kathy Bramer, Office of Public Instruction  
23:00 Ed Regan, R-Y Timber  
**EXHIBIT (nah35a03)**  
25:00 Ronald Buentemeier, F.H. Stoltz Land and Labor Company  
28:00 Kim Liles, PPRC Pace Local 885  
30:00 Erik Burke, MEA-MFT  
31:00 Jerry Driscoll, Montana AFL-CIO  
31:00 Lance Melton, Montana School Board Association  
32:00 Al Kington, Land Use Consultant  
34:00 Will Hammerquist, ASMSU

**EXHIBIT (nah35a04)**

35:00 Corey Swanson, Plum Creek Timber Company  
35:00 Ellen Engstedt, Montana Wood Products Association  
36:00 Webb Brown, Montana Chamber of Commerce  
36:00 Keith Olson, Montana Logging Association  
36:00 Bill Johnston, Montana University System  
36:00 Mary Allen, Western Environmental Trade Association

**Opponents' Testimony:**

37:00 Ann Hedges, Montana Environmental Information Center  
**EXHIBIT (nah35a05)**  
**EXHIBIT (nah35a06)**  
**EXHIBIT (nah35a07)**  
**EXHIBIT (nah35a08)**  
**EXHIBIT (nah35a09)**

54:00 Michael Garrity  
55:00 Arlene Montgomery, Friends of the Wild Swan

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

56:00

**Closing by Sponsor:**

1:08:00

**HEARING ON HB 605**

**Opening Statement by Sponsor:**

1:10:00     **REP. JANE, HD 73 -- Short Title:** State land timber sale costs and revenue accounted for on sale basis

**Proponents' Testimony:**

1:19:00     Arlene Montgomery, Friends of the Wild Swan

**EXHIBIT (nah35a10)**

1:22:00     Michael Garrity

1:24:00     Ann Hedges, Montana Environmental Information Center

1:25:00     Lynn Fairbanks, Sierra Club

**Opponents' Testimony:**

1:26:00     Tom Schultz, Department of Natural Resources

**EXHIBIT (nah35a11)**

**EXHIBIT (nah35a12)**

**EXHIBIT (nah35a13)**

1:31:00     Ronald Buentemeier, F.H. Stoltz Land and Labor Company

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

1:35:00

**Closing by Sponsor:**

1:35:00

**HEARING ON HB 527**

**Opening Statement by Sponsor:**

1:38:00     **REP. MENDENHALL, HD 39 -- Short Title:** Provide long-term plan for mined-land reclamation

**EXHIBIT (nah35a14)**

**Proponents' Testimony:**

1:48:00     Tom Lythgow, Jefferson County Commissioner

1:51:00     Angela Janacaro, Montana Mining Association

1:53:00 Tom Harrington, Jefferson County Development Corporation

1:56:00 Don Allen, Western Environmental Trade Association

**Opponents' Testimony:**

1:57:00 Ann Hedges, Montana Environmental Information Center

**Informational Testimony:**

None.

**Questions from Committee Members and Responses:**

1:59:00

**Closing by Sponsor:**

2:03:00

5:24 p.m. Break

5:31 p.m. Resume

**EXECUTIVE ACTION ON HB 388**

**Motion:** REP. PETERSON moved that HB 388 DO PASS.

**Motion:** REP. LAMBERT moved that HB 388 BE AMENDED  
(HB038803.ak1).

**EXHIBIT**(nah35a15)

**Discussion:**

2:15:00

**Vote:** Motion carried unanimously 18-0 by voice vote.

**Motion/Vote:** REP. LAMBERT moved that HB 388 DO PASS AS AMENDED.

Motion carried unanimously 18-0 by voice vote.

**EXECUTIVE ACTION ON HB 367**

**Motion:** REP. MAEDJE moved that HB 367 DO PASS.

**EXHIBIT**(nah35a16)

**Motion:** REP. LAMBERT moved that HB 367 BE AMENDED  
(HB036703.alm).

**EXHIBIT**(nah35a17)

**Discussion:**

2:30:00

**Vote:** Motion carried unanimously 18-0 by voice vote.

**Motion:** REP. LAMBERT moved that HB 367 DO PASS AS AMENDED.

**Discussion:**

2:41:00

**Vote:** Motion carried unanimously 18-0 by voice vote.

**Motion/Vote:** REP. MAEDJE moved TO RECOMMEND HB 367 BE REFERRED TO LONG RANGE PLANNING. Motion failed by voice vote as declared by CHAIRMAN YOUNKIN.

**EXECUTIVE ACTION ON HB 505**

**Motion:** REP. GUTSCHE moved that HB 505 DO PASS.

**Motion/Vote:** REP. YOUNKIN moved that HB 505 BE AMENDED (HB050502.amv). Motion carried unanimously by voice vote.  
**EXHIBIT** (nah35a18)

**Motion:** REP. GUTSCHE moved that HB 505 DO PASS AS AMENDED.

**Discussion:**

2:50:00

**Vote:** Motion carried 12-3 with REPS. BARRETT, MAEDJE, and MALCOLM voting no by voice vote.

**EXECUTIVE ACTION ON HB 432**

**Motion:** REP. GUTSCHE moved that HB 432 DO PASS.

**Discussion:**

3:00:00

**Vote:** Motion failed 8-10 with REPS. CYR, DICKENSON, ERICKSON, GILLAN, GUTSCHE, HARRIS, NEWMAN, and SMALL-EASTMAN voting aye by roll call vote.

**Motion/Vote:** REP. PETERSON moved that HB 432 BE TABLED. Motion carried 12-6 with REPS. DICKENSON, ERICKSON, GUTSCHE, HARRIS, NEWMAN, and SMALL-EASTMAN voting no by roll call vote.

**EXECUTIVE ACTION ON HB 537**

**Motion:** REP. GUTSCHE moved that HB 537 DO PASS.

**Motion:** REP. GUTSCHE moved that HB 537 BE AMENDED (conceptual amendment).

**Discussion:**  
3:11:00

**Substitute Motion/Vote:** REP. NEWMAN made a substitute motion that HB 537 BE AMENDED (HB0537101.alm and HB0537102.alm).  
Substitute motion carried unanimously 18-0 by voice vote.

**Motion:** REP. PETERSON moved that HB 537 DO PASS AS AMENDED.

**Discussion:**  
3:24:00

**Vote:** Motion carried unanimously 18-0 by voice vote.

**ADJOURNMENT**

Adjournment: 7:21 P.M.

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REP. CINDY YOUNKIN, Chairman

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KATHLEEN ELY, Secretary

CY/KE

**EXHIBIT** (nah35aad)